

REMARKS**Summary of the Office Action**

The Office Action objects to the drawings under 37 C.F.R. § 1.83(a) as allegedly not showing every feature of the invention specified in the claims. Claims 7-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,065,094 to Akiyama et al. (hereinafter “Akiyama”).

Summary of the Response to the Office Action

Applicants amend claim 7 to differently describe the invention. Accordingly, claims 7-12 remain currently pending.

Drawing Objections

The Office Action objects to the drawings under 37 C.F.R. § 1.83(a) as allegedly not showing every feature of the invention specified in the claims. In particular, the Office Action alleges that the “expander” and the “judging device” recited in the claims are not shown in the drawings and that these features must be shown or otherwise canceled from the claims.

Applicants respectfully traverse these drawing objections for at least the following reasons.

Support for Claimed “Judging Device”

This objection is similar to the objection included by the Examiner in the Office Action dated August 6, 2003 in this application. Detailed arguments were presented in the subsequent response filed on November 6, 2003 traversing this objection and explaining how the judging device is indeed supported by at least Figs. 1-2 of this application. In response, the Examiner withdrew the objection in the Office Action dated December 15, 2003.

Accordingly, Applicants were surprised and disappointed to see that the Examiner has now reapplied this drawing objection to the new set of claims 7-12 presented in the Preliminary Amendment filed on June 14, 2004. Independent claim 7 recites a “judging device” using slightly different terminology than the previously pending claims. However, Applicants respectfully submit that the “judging device” recited in independent claim 7 is fully described in the specification and is illustrated in at least Figs. 1-2 of this application, for similar reasons as set forth in the response filed on November 6, 2003, as described below.

Fig. 1 illustrates a block diagram of an information reproducing apparatus of an embodiment of the present invention that includes a player controller 16. Page 6, lines 3-5 of the specification teach that the player controller 16 controls the “EFM decoder 9, the memory controller 10, the selection switch 12 and the audio compression decoder 14.” This portion of the specification goes on to teach that the “player controller 16 also controls the MD player under an operation command from a control portion 17.” Page 6, lines 7-8 of the specification go on to teach that the “player controller 16 is constituted by, for example, a micro computer.”

Claim 7 recites a “judging device for determining which of the plurality of compression methods is used as a compression method of the compressed information read by said reading device.” The Office Action alleges that this “judging device” is not shown in the drawings. However, the specification, at page 6, lines 13-17 teach that the “player controller 16 ... determines TRK_MODE of a music piece to be read (step S2), as shown in Fig. 2.” Page 6 of the specification goes on to teach that by using the TRK_MODE information, the compression method can be determined (e.g., whether the information is recorded by the ATRAC method or by the ATRAC3 method, for example). See page 6, line 24 – page 7, line 3 of the specification. See also page 10, lines 9-12 of the specification.

Moreover, in addition to being illustrated as the player controller 16 in Fig. 1, the operation of the “judging device” is illustrated, for example, in steps S1 and S2 in Fig. 2. In other words, the player controller 16 operates as a “judging device” when the player controller 16 moves the information read point of the pickup 3 into a TOC area on the MD 1 to read TOC information from the TOC area (step S1) and determines the TRK_MODE of a music piece to be read (step S2 in Fig. 2).

For at least the foregoing reasons, Applicants respectfully traverse the objection to drawings by stating that the “judging device” recited in the claims is shown in the Figures at least by the player controller 16 in Fig. 1.

Support for Previously Claimed “Expander”

Applicants were also surprised and disappointed to see that the Examiner has now applied a new drawing objection to the new set of claims 7-12 presented in the Preliminary Amendment filed on June 14, 2004. Independent claim 7 previously recited an “expander” using slightly different terminology than the previously pending claims. However, Applicants respectfully submit that, despite the concurrent amendment to claim 7, the “expander” that was previously recited in independent claim 7 is fully described in the specification and is illustrated in at least Fig. 1 of this application.

Fig. 1 illustrates a block diagram of an information reproducing apparatus of an embodiment of the present invention that includes ATRAC AUDIO COMPRESSION DECODER 13 and ATRAC3 AUDIO COMPRESSION DECODER 14. In the “Description of the Related Background Art” portion of the instant application’s specification, at page 1, lines 13-17, there is a discussion of how related art arrangements include a memory that temporarily

stores compressed information which has been read from a disc by a pickup, and that this stored compressed information is then read out and decompressed by a decoder before being output as reproduction information. Those skilled in the relevant art understand that this means that the stored compressed information is read out from memory and is then expanded by an appropriate expander before being output as analog reproduction information for enjoyment by the user.

Further in this regard, page 5, lines 12-21 of the specification, for example, go on to teach that the “[d]ata read by the memory controller 10 is supplied to either one of the audio compression decoders 13, 14 selected by the selection switch 12. The audio compression decoder 13 demodulates a digital audio signal that has been compressed...” See also page 9, lines 4-21 of the specification. Even further, the abstract states that the disclosed information reproducing apparatus “writes the compressed information read into a memory, supplies the compressed information in the memory, to an expander in the order of writing and outputs reproduced information.”

Claim 7 previously recited an “expander for expanding the information read by said memory controller.” The Office Action alleges that this “expander” is not shown in the drawings. However, at least the above cited portions of the specification at page 5 and 9 clearly explain that the ATRAC AUDIO COMPRESSION DECODER 13 and ATRAC3 AUDIO COMPRESSION DECODER 14 of Fig. 1, whether taken separately or in combination, illustrate this claimed feature.

Nevertheless, in an effort to advance the prosecution in this application, Applicants have opted to change “an expander for expanding” in independent claim 7 to --a decoding device for decompressing-- the information read by said memory controller. The claimed decoding device corresponds, for example, to items 13 and 14 of Fig. 1 of the present application.

Accordingly, for at least the foregoing reasons, withdrawal of the drawing objections is respectfully requested.

Rejection under 35 U.S.C. § 102 (e)

Claims 7-12 are rejected under 35 U.S.C. § 102(e) as being anticipated by Akiyama. To the extent that this rejection might be considered to still apply to the claims as newly-amended, it is respectfully traversed as follows.

Akiyama discloses a compressed data storage apparatus which includes an A/D converter 7 for converting image information output from a camera section 8 into digital data, a compressing circuit 1 for compressing the digital data, a buffer memory 2, and a memory controller 3 for writing the compressed data into the buffer memory 2 temporarily, and reading the compressed data from the buffer memory 2 to record onto a disk device 4. The compression ratio of the compressed data written into the buffer memory 2 is set to a predetermined regulation value K1 during normal operation. When the available capacity of the buffer memory 2 drops below a third predetermined value TH3 by writing the compressed data of K1 into the buffer memory 2, the compression ratio of the compressed data written into the buffer memory 2 is increased to a predetermined regulation value K2(>K1) to reduce the amount of data transferred to the buffer memory 2.

However, Applicants respectfully submit that Akiyama does not teach a buffering operation that is performed before the compressed data read from the disk device 4 is decompressed. The buffering operation for the buffer memory 2 disclosed in Akiyama is performed when the compressed data is recorded onto the disk device 4.

The unit 1 in Fig. 1, which the Office Action refers to as an expander, is a compressing circuit 1. In Fig. 1 of Akiyama, an expander or decoding device for decompressing compressed

data is not shown. In Fig. 7 of Akiyama, although a compressing/expanding circuit 112 is shown, no expanding operation of the compressing/expanding circuit 112 is disclosed.

Further, in Akiyama, the compression ratio of the compressed data is changed in accordance with the available capacity of the buffer memory 2. However, the third predetermined value TH3 of the available capacity is a constant value, and is not set in accordance with a compression method of the compressed data.

For at least the foregoing reasons, Applicants respectfully submit that Akiyama does not teach, or even suggest, the combination recited in independent claim 7 including at least “a judging device for determining which of the plurality of compression methods is used as a compression method of the compressed information read by said reading device, wherein said memory controller starts to read the compressed information from said memory when an amount of the compressed information written into said memory reaches a first storage information amount corresponding to a compression method determined by the judging device.”

Accordingly, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(e) should be withdrawn because Akiyama does not teach or suggest each feature of independent claim 7. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Furthermore, Applicants respectfully assert that dependent claims 8-12 are allowable at least because of the dependence from independent claim 7, and the reasons set forth above.

Conclusion

In view of the foregoing amendments and remarks, withdrawal of the rejections and allowance of the pending claims are earnestly solicited. Should there remain any questions or comments regarding this response or the application in general, the Examiner is invited to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:



Paul A. Fournier

Registration No. 41,023

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Customer No.: 009629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: 202.739.3000

Facsimile: 202.739.3001